

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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WILDEARTH GUARDIANS, *et al.*,

Case No. 3:21-cv-00508-MMD-CLB

Plaintiffs,

ORDER

v.

USDA ANIMAL AND PLANT HEALTH
INSPECTION SERVICE WILDLIFE
SERVICES, *et al.*,

Defendants.

Plaintiffs initiated this action to challenge Defendants' environmental assessment of their predator management program. (ECF No. 1.) Following summary judgment proceedings, the Court denied Plaintiffs' motion for summary judgment and granted Defendants' motion for summary judgment. (ECF No. 41 ("Summary Judgment Order").) The United States Court of Appeals for the Ninth Circuit subsequently vacated the Court's Summary Judgment Order in part and affirmed it in part (ECF No. 45 ("Opinion")), and on July 3, 2025, issued its mandate thereon (ECF No. 47), returning jurisdiction to this Court. At the Court's direction, the parties submitted a joint status report as to actions that need to be taken to effectuate the mandate. (ECF No. 52.) The Court agrees with the parties' proposed actions.

It is therefore ordered that this action is remanded to Wildlife Services¹ to reconsider whether to prepare a new Environmental Assessment ("EA") or an Environmental Impact Statement ("EIS") under the National Environmental Policy Act ("NEPA"), 24 U.S.C. § 4321 *et seq.*, in light of the Opinion. In accordance with the parties' 2016 settlement agreement, Wildlife Services "may continue PDM [predator damage

¹Wildlife Services is an agency within the U.S. Department of Agriculture's Animal and Plant Health Inspection Service. (ECF Nos. 31 at 7, 45 at 1.)

1 management] in other areas in the state relying on older NEPA analyses while the new
2 NEPA analysis is conducted.” (ECF No 45 at 39.)

3 The Clerk of Court is further directed to close this case.

4 DATED THIS 28th Day of July 2025.

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7 MIRANDA M. DU
8 UNITED STATES DISTRICT JUDGE
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